

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

<b>LANDMARK, LLC,</b>	§
<i>Plaintiff,</i>	§
 v.	§
	§ <b>CIVIL ACTION NO. 4:16-CV-00174-O</b>
 <b>SENECA INSURANCE COMPANY,</b>	§
<b>INC., VERICLAIM, INC., and</b>	§
<b>NICHOLAS CARLSON,</b>	§
<i>Defendants.</i>	§

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**NOTICE OF DISMISSAL WITHOUT PREJUDICE**

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TO THE HONORABLE UNITED STATES DISTRICT JUDGE:

Plaintiff LANDMARK, LLC (“Plaintiff”) files this Notice of Dismissal Without Prejudice pursuant to FED. R. Civ. P. 41(a)(1)(A) and respectfully shows the Court the following:

**I.**

Plaintiff filed its Original Petition on February 2, 2016 styled *Landmark, LLC v. Seneca Insurance Company, Inc., Vericclaim, Inc. and Nicholas Carlson* in the 17<sup>th</sup> Judicial District Court of Tarrant County, Texas.

Defendant SENECA INSURANCE COMPANY, INC. was served on or about February 9, 2016.

Defendants VERICLAIM, INC. and NICHOLAS CARLSON have not been yet served with Plaintiff’s Original Petition and Defendants have not served either an answer or a Motion for Summary Judgment. *See* FED. R. Civ. P. 41(a)(1)(A)(i).

**II.**

WHEREFORE, PREMISES CONSIDERED, Plaintiff LANDMARK, LLC files this Notice of Dismissal With Prejudice with the intention of dismissing the case under FED. R. CIV. P. 41(a)(1)(A)(i) without prejudice to refiling. *See Williams v. Clarke*, 82 F.3d at 272.

Respectfully submitted,

LAW OFFICES OF DAVID L. CHUMBLEY, P.C.

By: /s/ David L. Chumbley  
David L. Chumbley  
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**ATTORNEY FOR PLAINTIFF**

**CERTIFICATE OF SERVICE**

I hereby certify that on March 2, 2016, a true and correct copy of the foregoing instrument was served pursuant to the Federal Rules of Civil Procedure on the following counsel of record:

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/s/ David L. Chumbley  
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